



September 15, 2004

Ms. Jan Palumbo, RCRA Project Manager
United States EPA, Region 10
1200 Sixth Avenue, Mail Stop WCM-121
Seattle, WA 98101

Subject: **September 15, 2004, Progress Report
J.H. BAXTER ARLINGTON FACILITY
Docket No. RCRA-10-2001-0086**

Dear Ms. Palumbo:

This letter provides the September 15, 2004, progress report for work under the Administrative Order on Consent (AOC) for the J.H. Baxter & Co. (Baxter) facility during the period from August 15, 2004, to September 15, 2004.

Significant Developments This Period

This section discusses significant developments for the referenced reporting period, including actions performed and any problems encountered relative to work required by the AOC. Significant developments that occurred on this project during this reporting period are outlined below:

- On August 17, 2004, Baxter received EPA's approval to excavate contaminated material from the two ditches at the Facility as part of an interim measure. EPA and Baxter are discussing the details of the excavation.
- On September 14, 2004, Ms. Janice Palumbo of EPA met with representatives of Baxter and Premier Environmental Services at the Arlington Facility. The purpose of the visit was to conduct a site tour and discuss progress on the Site Investigation (SI).

Anticipated Developments Next Period

This section discusses developments anticipated during the next reporting period, as outlined below:



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- Baxter will conduct Lysimeter sampling in accordance with the SWDP.
- Baxter will continue to implement elements of the SI Work Plan, including database compilation and data evaluation.

Anticipated Problems and Problem Resolution

This section discusses anticipated problems, and planned resolution of past or anticipated problems.

No new problems or issues have been identified at the facility, other than those mentioned in previous progress reports.

Other Information

Any other information relevant to the AOC is discussed in this section, including results of any sampling or testing completed within the reporting period.

- Settlement discussions with EPA in the Matter of J.H. Baxter & Co., Arlington Washington EPA ID # WAID 053823019 have been scheduled for October 5, 2004, at Region 10's offices in Seattle, Washington.
- Construction of the Stormwater Treatment System continued during the reporting period. The clarifier and filter press were delivered to the facility, and construction of the storage tanks was completed. In addition, assembly of the building was initiated.

Certification

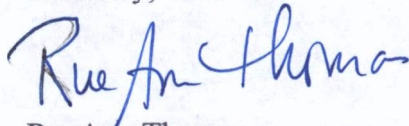
I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to evaluate the information submitted. I certify that the information contained in or accompanying this submittal is true, accurate and complete. As to those identified portions(s) of this submittal for which I cannot personally verify the accuracy, I certify that this submittal and all attachments were prepared in accordance with procedures designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those directly responsible for gathering the information, or the immediate supervisor of such person(s), the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: 

Name: RueAnn Thomas
Title: Environmental Programs Director
Date: September 15, 2004

We trust this letter meets the intent of the Progress Report per Paragraph 71 of the AOC. If you have any questions, please contact me at (541) 689-3801.

Sincerely,



RueAnn Thomas
Environmental Programs Director

cc: Jeanne Tran, Ecology
Georgia Baxter, J. H. Baxter & Co.
Mary Larson, J. H. Baxter & Co.
J. Stephen Barnett, Premier Environmental Services, Inc.